

## Section 65

### SIGN CODE

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#### **65.010 Intent and purposes.**

It is the intent and purpose of this code to promote the health, safety and welfare of the residents and visitors of the Gallatin County / Bozeman Area Zoning District by regulating and controlling the size, location, type, quality of materials, height, maintenance and construction of all signs and sign structures not located within a building for the following reasons:

- A.** To preserve the area's natural scenic beauty;
- B.** To contribute to inviting entrances into Gallatin County / Bozeman Area Zoning District by eliminating clutter associated, in part, with the unrestricted proliferation of signs, lights, and stringed devices
- C.** To encourage area beautification through creative, interrelated design of signage, landscaping, buildings, access and parking that enhances the community's built and natural environment;
- D.** To give all businesses an equal opportunity to have a sign that will help people find the services they need;
- E.** To ensure that pedestrians and motorists are protected from damage or injury caused

or partly attributable to the distractions and obstructions which are caused by improperly situated signs. The commission intends to provide a reasonable balance between the right of an individual to identify its business and the right of the public, to be protected from the visual discord that results from the unrestricted proliferation of signs. Section 43.080 establish certain exemptions, and alternative procedures utilizing design review. The design review shall be directed to accomplish the intent and purpose of this section. It is determined that the regulations contained herein are the minimum, necessary to further the interests of this code.

#### **65.020 Definitions and interpretation.**

Words and phrases used in this section shall have the meanings set forth in this section. Words and phrases not defined in this section but defined in this title shall be given the meanings set forth herein. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this section.

"Anchor tenant" means a tenant within a retail shopping center or complex which utilizes 20,000 or more square feet of ground floor area in one or more structures.

"Area of signs" means that the area of a sign shall be computed by enclosing the entire area within any type of perimeter or border which may enclose the outer limits of any writing, representation, emblem, figure, or character together with any other material or color forming an integral part of the display or used to differentiate such sign from a building on which it is placed. The area of a sign having no such perimeter shall be computed by enclosing the entire area within parallelograms, triangles, or circles in a size sufficient to cover the entire area of the sign copy and computing the size of such area. In the case of a two-sided sign, the area shall be computed as including only the maximum single display surface which is visible from any ground position at one time. If the angle between the two sign faces is greater than forty-five (45) degrees, the sign area will be the sum of the areas of the two (2) faces. The supports or uprights on which any sign is supported should not be included in determining the sign area unless such supports or uprights are designed in such a manner as to form an integral background of the sign. In the case of any spherical, conical, or cylindrical sign one half of the total surface area shall be computed as the area of the sign.

"Awning" means a roof-like structure, which is generally composed of a skeletal frame, covered in a fabric or other skin-type material, and typically open on the bottom side, which projects beyond a building or extending along and projecting beyond the wall of the building. For the purposes of this regulation a sign on an awning shall be considered to be a wall sign.

"Banner" means any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

"Beacon" means any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zone lot as the light source; also, any light with one or more beams that rotate or move.

- "Building frontage" means the maximum dimension of the building front measured on a straight line parallel to the street.
- "Canopy" means any open, permanent roof-like accessory structure which is not attached or part of a principal building. For the purposes of this section, a sign located on a canopy shall be considered a wall sign.
- "Commercial message" means any sign wording, logo, or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service, or other commercial activity.
- "Directional sign" means an on-premise sign which is intended to convey information regarding the location of specific features of the site or to convey on-premise regulations including traffic and circulation regulations.
- "Freestanding sign" means any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.
- "Height of low profile sign" means the vertical distance between the finished grade and the highest component of the sign.
- "Height of pole style sign" means the vertical distance between the elevation of the adjacent street curb, or edge of pavement if no curb exists, to the highest attached component of the sign. In the event that the finished grade of the sign location is higher, or lower, than the adjacent street curb or edge of pavement, the height shall be determined as the vertical distance from the median elevation between the adjacent street curb or edge of pavement and the lowest finished grade at the base of the sign to the highest attached component of the sign.
- "Incidental sign" means a sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as "no parking," "entrance," "loading only," "telephone," and other similar directives. No sign with a commercial message which is designed with the intent to be legible from a position off the zone lot on which the sign is located shall be considered incidental.
- "Interchange zone" means districts created for the purpose of allowing larger and/or additional signage for the areas adjacent to the I-90 interchanges at East Main Street, North 7th Avenue, and North 19th Avenue which are located within the Entryway Overlay District, B-2 District, and within 1,300 feet of the I-90 right-of-way.
- "Low-profile sign" means a freestanding sign composed of a solid structure between finished grade and the top of the sign. Also referred to as a monument sign.
- "Noncommercial speech" means any sign wording, logo, or other representation that does not, directly or indirectly, name, advertise, or call attention to a business, product, service, or other commercial activity.
- "Nonconforming sign" means a sign that does not conform to the provisions of this section.
- "Off-premise sign" means a sign which advertises or directs attention to products or activities that are not provided on the parcel upon which the sign is located.
- "Parapet" means that part of the wall which extends above the roof. For the purposes of this section, the top of the parapet shall be considered to be the roofline.
- "Pennant" means any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.
- "Pole sign" means a freestanding sign which is supported by a column(s) or other structural member(s) that is permanently attached to the ground or a ground-mounted structure and

provides a minimum of eight feet (8') of visible, vertical clearance between the sign and finished grade.

"Portable sign" means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

"Projecting sign" means any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches (6") beyond the surface of such building or wall and is perpendicular to such building or wall.

"Revolving sign" means any sign which all, or a portion of, may rotate either on an intermittent or constant basis.

"Roof sign" means any sign erected and constructed on and over the roof of a building, supported by the roof structure, and extending vertically above any portion of the roof. Roof signs shall not include signs located on a mansard roof if the sign is mounted vertically and integrated with the roof. For the purpose of this section, architecturally integrated mansard signs and other architecturally integrated signs located below the principal roof line shall be classified as wall signs.

"Setback" means the distance from the property line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line.

"Shopping mall" means a multi-tenant retail structure where tenants are located on both sides of a covered walkway with direct pedestrian access to all establishments from the walkway.

"Sign" means any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

"Special event sign" means a temporary sign which advertises special civic events and activities such as street fairs, community festivals, parades, farmers markets and charity benefits.

"Street" means a strip of land or way subject to vehicular traffic (as well as pedestrian traffic) that provides direct access to property, including, but not limited to, avenues, boulevards, courts, drives, highways, lanes, places, roads, or other thoroughfares, but not including alleys or driveways.

"Temporary sign" means any sign that is used only temporarily and is not permanently mounted.

"Wall sign" means any sign painted on, attached to, or erected against the wall of a building, structure, canopy or awning with the exposed face of the sign parallel to the plane of said wall or structure. The sign must be attached in a manner so that it does not extend beyond six inches of the wall.

"Window sign" means any sign painted, attached, glued, or otherwise affixed to a window for the purpose of being visible from the exterior of the building.

"Zone lot" means a parcel of land or contiguous parcels of land held in single ownership that is of sufficient size to meet minimum zoning requirements for area, coverage and use.

**65.030 Sign permit requirements.**

If a sign requiring a permit under the provision of this section is to be placed, constructed, erected, or modified on a zone lot, the owner of the lot shall secure a sign and building permit prior to the construction, placement, erection, or modification of such a sign. Furthermore, the property owner shall maintain in force, at all times, a permit for such sign. No permit of any kind shall be issued for an existing sign or proposed sign unless such sign is consistent with the requirements of this section.

**65.040 Prohibited signs.**

All signs not expressly permitted under this section, or exempt from regulation, are prohibited in the jurisdiction. Such signs include, but are not limited to:

- A. Portable signs;**
- B. Roof signs;**
- C. Revolving signs;**
- D. Beacons;**
- E. Flashing signs;**
- F. Pennants;**
- G. Stringed flags;**
- H. Inflatable signs and tethered balloons** (except as permitted per section 65.050.)
- I. Signs located in public rights-of-way** (except for those permitted in subsections 65.060.C and 65.070.D.4.

**65.050 Permitted temporary and special event signs.**

Temporary and special event signs, such as banners, tethered balloons and inflatable signs, shall be allowed only as follows:

- A.** Special event signs are permitted in the zones described in sections 65.070.A [Commercial, Manufacturing, and Public Land Zones] and 65.070.B [Business and Office Zones].
- B.** Such signs shall be displayed for a consecutive period not to exceed fifteen (15) days, for a maximum of thirty (30) days per year with the exception of grand opening banners which may be displayed for a period not to exceed sixty (60) days. Only one grand opening banner shall be permitted for the life of a business. A subsequent grand opening banner may be permitted when business ownership, has transferred to another owner.
- C.** Such banners shall be consistent with the standards of this section as to location, height, and type.
- D.** Applicants for such banners must apply for, and have approved, a temporary sign permit.

**65.060 Signs exempt from permit requirements.**

The following signs shall be exempt from regulation under this section.

**A. Residential Zones** (A-S, R-S, R-1, R-2, R-2a, R-3, R-3a, R-4, R-MH). Temporary non-illuminated, real estate sale, and noncommercial speech signs that do not exceed nine (9) square feet in total area and, if freestanding, five feet (5') in height. No more than one such sign per street frontage.

**B. Commercial and Manufacturing Zones**, (R-O, B-1, B-2, M-1, M-2, BP, PLI, M-1, M-2, BP, PLI).

1. Window signs painted on the window or affixed to the interior of a window provided that such signs do not occupy more than twenty-five percent (25%) of the area of the window in which it is displayed. If it exceeds twenty-five percent of the area of the window, it will be classified as a wall sign.
2. Signs within a structure or building or other enclosed area of property when such signs are not intended to be viewed from outside the structure or property.
3. Four on-premises directional signs not exceeding four square feet in area which shall not contain any commercial messages.

**C. All Zones.**

1. Government and Public Utility Signs. Directional, warning, street, building identification, traffic control, informational or temporary special event signs that are erected, installed, or placed by or on behalf of any federal, state, county, or city government. Public utility signs showing locations of underground facilities or public telephones, and safety signs on construction sites are included within this exemption.
2. Incidental Signs. A sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as "no parking," "entrance," "loading only," and other similar directives. No sign with a commercial message which is designed with the intent to be legible from a position off the zone lot on which the sign is located shall be considered incidental.

#### **65.070 Signs permitted upon the issuance of a sign permit.**

The following on-premise signs are permitted in the indicated zones subject to a sign permit:

**A. Commercial, Manufacturing, and Public Land Zones** ( B-2, M-1, M-2, BP, PLI). A lot in a B-2 district is permitted total signage not to exceed four hundred (400) square feet. The maximum allowable total signage in the other districts listed herein shall not exceed two hundred and fifty (250) square feet per lot. A comprehensive sign plan is required for all commercial centers consisting of two (2) or more tenant spaces on a lot and shall be designed in accordance with section 65.080.

1. Freestanding Signs. One freestanding sign is permitted per zoned lot. The maximum area for a freestanding sign shall be thirty-two (32) square feet. A low profile freestanding sign shall be set back a minimum of five feet (5') with a maximum height of five feet (5'). A pole-style freestanding sign shall be set back a minimum of fifteen feet (15') with a maximum height of thirteen feet (13'). The

- pole-style sign will maintain at least an eight feet (8') minimum vertical clearance from the ground.
2. Wall Signs. Wall signs are not to exceed a total signage allowance of one and one half (1.5) square feet per linear foot of building frontage minus any area devoted to freestanding or projecting signs. Canopy, window, and awning signs shall be classified as wall signs. Wall signs shall not project above the top of a wall or parapet. Lots fronting on two or more streets shall be permitted an additional thirty-five percent (35%) of the already permitted wall sign area for each subsequent building frontage.
  3. Projecting Signs. One projecting sign per tenant. Projecting signs shall not exceed eight (8) square feet in area nor extend more than four feet (4') from the building. Projecting signs shall provide a minimum sidewalk clearance of eight feet (8').

**B. Business and Office Zones (B-1, R-O).** The maximum allowable total signage for a lot shall not exceed eighty (80) square feet in a B-1 district, and thirty-two (32) square feet in a R-O district. A comprehensive sign plan is required for all commercial centers consisting of two (2) or more tenant spaces on a lot. Such plans shall be designed in accordance with Section 65.080.

1. Low Profile Freestanding Signs. One low profile sign not to exceed thirty-two (32) square feet in area in the B-1 district, and twelve (12) square feet in area in the R-O district. In both the B-1 and the R-O districts, the low profile sign shall have a minimum setback of five feet (5') and a maximum height of five feet (5'). Pole-style freestanding signs are not permitted in the B-1 and R-O zones.
2. Wall Signs. Wall signs in the B-1 district are not to exceed a total signage allowance of one (1) square foot per linear foot of building frontage minus any area devoted to freestanding or projecting signs. Wall signs in the R-O district are not to exceed a total signage allowance of half (.5) of a square foot per linear foot of building frontage minus any area devoted to freestanding and/or projecting signs. Canopy, window, and awning signs shall be classified as wall signs. Wall signs shall not project above the top of a wall or parapet. Lots fronting on two or more streets shall be permitted an additional thirty-five percent (35%) of the already permitted wall sign area for each subsequent building frontage.
3. Projecting Signs. One projecting sign per tenant. Projecting signs shall not exceed eight (8) square feet in area nor extend more than four feet (4') from the building. Projecting signs shall provide a minimum sidewalk clearance of eight feet (8').

**C. Residential and Agricultural Zones (A-S, R-S, R-1, R-2, R-2a, R-3, R-3a, R-4, R-MH)**

1. *Subsection deleted.*

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2. Residential Building Identification Signs. For properties used for multi-family residential buildings, one residential identification wall sign per street frontage. Each sign shall not exceed eight (8) square feet in area.
3. Signs Appurtenant To Residential Principal and Conditional Uses and Home Occupations.
  - a. Principal residential uses and Home Occupations shall be permitted commercial message signage not to exceed four (4) square feet in area and shall not be located in any required setback area. In addition, Home Occupations shall be permitted one (1) square foot signs on a mailbox or lamp post or one and one half (1 1/2) square feet of freestanding signage located a minimum of five feet (5') from the property line.
  - b. Principal residential uses shall be permitted noncommercial speech signs which do not exceed thirty (32) square feet in area nor five feet in height (5'). Such sign(s) must be setback at least fifteen feet (15') from the property line.
  - c. Conditional nonresidential type uses, such as churches, veterinary uses, golf courses, day care centers and schools shall be permitted signage as if the underlying zoning were B-1. Conditional residential type uses such as bed and breakfast homes, and fraternity and sorority houses, shall be permitted signage as if the underlying zoning were R-O. Such signs may only be illuminated during the hours of operation.



4. Planned Unit Developments. Commercial establishments within planned unit developments where the underlying zoning is residential or agricultural shall be permitted signage as if the lot were in a B-1 zone.

**D. Special Districts And Zones.** The guidelines for the underlying zoning districts apply unless otherwise addressed below.

1. Entryway Overlay District. Signage may exceed the underlying zoning district limitations by up to 20% upon review and approval by the commission, upon the recommendation of the staff, and upon receipt of a sign permit.
2. Interchange Zone. Signage may exceed the maximum total sign area permitted by Section 65.070 by up to 25% upon review and approval by the commission, upon the recommendation of the staff, and upon receipt of a sign permit. Each lot shall be permitted one freestanding sign.
  - a. Low Profile Signs. One low profile sign per zoned lot. The maximum area for a low profile sign shall be forty-eight (48) square feet. The sign shall be setback a minimum of five feet (5') with a maximum height of eight feet (8').
  - b. Pole-Style Signs. A pole-style freestanding sign shall be set back a minimum of fifteen feet (15') and will maintain at least an eight feet (8') minimum vertical clearance. Pole-style signs shall not exceed a total area of forty-eight (48) square feet or sixteen feet (16') in height, provided however, that for every two feet (2') said sign is set back from fifteen (15') beyond the street right-of-way, the height measured at grade may be increased one foot (1'), not to exceed a total of thirty-two feet (32'), and the area may be increased by two and one half (2.5) square feet for every two feet (2') that said sign is set back fifteen feet (15') beyond the street right-of-way up to a maximum of one hundred and twenty (120) square feet.

**65.080 Comprehensive sign plan.**

A comprehensive sign plan shall be submitted for all commercial, office, industrial, and civic uses consisting of two or more tenant or occupant spaces on a lot or two or more lots subject to a common development permit or plan. A comprehensive sign plan shall not be approved unless it is consistent with this section, the underlying zoning regulations applicable to the property and any discretionary development permit or plan for the property. The plan should include the size and location of buildings and the size and location of existing and proposed signs. The purpose of the plan is to coordinate graphics and signs with building design. The coordination shall be achieved by:

**A.** Using the same type of cabinet supports or method of mounting for signs of the same type; using the same type of construction for components, such as sign copy, cabinet and supports; using other types of integrating techniques, such as common color elements, determined appropriate by the planning director.

**B.** Using the same form of illumination for all signs, or by using varied forms of illuminations determined compatible by the planning director.

**65.090 Multi-tenant complexes with less than one hundred thousand square feet of ground floor area.**

The guidelines for the underlying zoning districts apply unless otherwise addressed

below:

A. The maximum permitted wall sign area allowed for each tenant space shall be the percentage of the total floor area on the zoned lot that the tenant occupies multiplied by the wall area allowed by subsection 65.070.A.2 or 65.070.B.2. If the lot has more than one building frontage, the individual tenant space may derive sign area only from the frontage(s) which the space faces. Lots under this section shall be allowed a low profile sign that identifies the complex, which otherwise conforms to this section, in addition to the sign area already permitted under subsection 65.070.A.2 or 65.070.B.2.

**65.100 Multi-tenant complexes with more than one hundred thousand square feet of ground floor area.**

The guidelines for the underlying zoning districts apply unless otherwise addressed below:

**A. Freestanding Signs.**

1. Pole-Style Signs. One pole-style sign per street frontage not to exceed forty-eight (48) square feet in area or sixteen feet (16') in height. The sign area computed for a pole-style sign shall not be subtracted from the maximum allowable wall signage permitted for the entire complex.
2. Low-Profile Signs. One low-profile sign shall be permitted at each secondary entrance of the complex, provided each sign shall not exceed thirty-two (32) square feet in area, not five feet (5') in height, and must be setback a minimum of five feet (5') from the property lines. All low-profile signs shall only identify the complex and must display the street number address in figures which are at least six inches (6") high. Low profile signs complying with these regulations will not be factored when calculating the maximum permitted wall sign area.

**B. Wall Signs.** Each tenant shall be permitted wall signage square footage calculated from one and one-half times the linear store frontage.

**65.110 Indoor shopping mall complexes with more than one hundred thousand square feet of ground floor area.**

The guidelines for the underlying zoning districts apply unless otherwise addressed below:

**A. Freestanding Signs.**

1. Pole-Style Signs. One pole-style sign per street frontage not to exceed forty-eight (48) square feet in area or sixteen feet (16') in height. The sign area computed for a pole-style sign shall not be subtracted from the maximum allowable wall signage permitted for the entire complex.
2. Low-Profile Signs. One low-profile sign shall be permitted at each secondary entrance of the complex, provided each sign shall not exceed thirty-two (32) square feet in area, nor five feet (5') in height, and must be setback a minimum of five feet from the property lines. All low-profile signs shall only identify the complex and must display the street number address in figures which are at least

six inches high. Low profile signs complying with these regulations will not be factored when calculating the maximum permitted wall sign area.

**B. Wall Signs.** Each anchor tenant shall be permitted three hundred square feet of wall signage. Each tenant with an exclusive outdoor customer entrance shall be permitted wall signage square footage calculated from five percent of the ground floor area.

**65.120 Illumination.**

Illumination, if any, shall be provided by artificial light which is constant in intensity and color. Internally illuminated "can signs" are acceptable provided background and copy are coordinated to avoid excessive light output. Neon and other gas type transformers shall be limited to sixty milliamperes and fluorescent transformers shall be limited to eight hundred (800) milliamperes to soften light output. Additionally, neon and other gas type signs with exposed tubing shall be equipped with dimmers.

**65.130 Street vision triangles.**

Signs shall not be placed in sight vision triangles as they are defined in Section 50.080 of the Gallatin County / Bozeman Area Zoning Regulations.

**65.140 Required address signs.**

Street numbers shall be required for all residential, commercial, industrial, and civic uses in all zones, consistent with the requirements of the fire department. All freestanding signs shall display the address of the lot in six-inch numbers.

**65.150 Off-Premise Advertising signs.**

**A. Off-premise Commercial Advertising signs,** or billboards, are not permitted within this zoning district, except for official and tourist-oriented directional signs with valid state or federal permits issued in compliance with the Federal Highway Beautification Act.

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**B. Subdivision Identification Signs.** Subdivisions consisting of more than four lots may have one low-profile, freestanding, neighborhood identification sign per development entrance on each road, with a County sign permit. Subdivision identification signs may not identify specific commercial firms or uses. The identification sign shall not exceed sixteen (16) square feet in area or five feet (5') in height from the finished grade, and must be set back at least five feet (5') from the property line.

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**65.155 Signs erected in conjunction with non-profit activities on public property.**

Signs erected on public property in support of non-profit activities, such as signs advertising sponsors of youth and sports activities, shall be allowed only as follows:

**A.** The sign(s) shall be permitted only at developed facilities in public parks or other publicly owned lands.

**B.** The sign(s) may be erected two (2) weeks prior to the commencement of the activity and shall be removed within two (2) week after the cessation of the activity for which the sign(s) were erected.

**C.** Each individual sign shall be no larger than thirty-two (32) square feet. Freestanding signs must be setback a minimum of fifteen feet (15') from the property line with a maximum height of five feet (5'). Signs attached to walls or scoreboards shall not be subject to the five foot (5') height limitation. However, signs attached to walls or scoreboards shall not exceed the height of the wall or scoreboard to which they are attached. All signs shall be oriented towards spectators attending the activity who are at the facility.

**D.** The sign(s) shall not:

1. advertise alcoholic beverages or tobacco products;
2. be individually illuminated; nor
3. be placed in sight vision triangles or otherwise impede or obstruct the view of the traveling public.

**E.** Applicants for such sign(s) must apply for, and have approved, a special temporary sign permit detailing the nature of the sign(s) to be erected and the duration the sign(s) will remain in place. Applications and review procedures shall be made as per Section 50.140.

#### **65.160 Historic or culturally significant signs.**

Signs which have historical or cultural significance but do not conform to the provisions of this section, maybe permitted provided that the commission adopts findings supporting the historical or cultural significance of the sign and issues a sign permit. Such findings shall be adopted by resolution of the commission.

#### **65.170 Application.**

An application for a sign shall be made on forms provided by the planning office. The application shall contain sufficient information and plans to permit review pursuant to this section, including but not limited to: building elevations; photographs; proposed locations of signs on building elevations; sign design layout showing number, types, and dimensions of all signs, and a site plan showing proposed location of all signs. An applicant may appeal the denial of permit request pursuant to the provisions of Section 58.

#### **65.180 Maintenance of permitted signs.**

All signs shall be continuously maintained in a state of security, safety and repair, If any sign is found not to be so maintained or is in need of repair, it shall be the duty of the owner and the occupant of the premises to repair or remove the sign within ten days after receiving written notice to do so from the planning director. If the sign is not so repaired or removed within such time, the planning director shall cause the sign to be removed at the expense of the owner of the premises.

**65.190 Nonconforming signs.**

**A.** The eventual elimination of existing signs that are not in conformity with the provisions of this section is as important as the regulation of new signs. Except as otherwise provided herein, the owner of any zone lot or other premises on which exists a sign that does, not conform with the requirements of this section and for which there is no prior, valid sign permit shall remove such sign.

**B.** All signs which were legally permitted prior to July 27, 1999, are considered legal, permitted signs under this section. Except as provided for in subsection C of this section, said sign, if nonconforming with this section, may not be:

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1. Replaced except with a conforming sign;
2. Changed in copy (except for signs specifically designed to be changed in copy);
3. Structurally altered to extend its useful life;
4. Expanded, moved, or relocated.

**C.** No legal, nonconforming sign may be altered or enlarged in any way which increases its nonconformity, but any existing signage, or portions thereof, may be altered by decreasing its nonconformity (except w provided in subsection D of this section).

**D.** Any lot with a nonconforming sign may not add additional signage until all signs on the lot are brought into conformance with this section. Any site modification that requires a land use permit, site plan review or reuse application will necessitate compliance for all existing and proposed signage on the lot.

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**65.200 Violation.**

**A.** Upon discovery of any violation of this section, county officials authorized to enforce this section shall notify in writing the owner or lessee of such violation, who shall be required to correct the violation within the time specified on the written notice.

**B.** Failure to comply with this section after being duly notified shall result in any or all of the following actions by the zoning officer or any authorized county official on behalf of the county:

1. Maintain a civil action to prevent an unlawful sign use from occurring, to prevent its continuance or to restrain, correct, or abate any violation of this section;
2. Directly issue and/or submit to the proper court for filing and processing an appropriate complaint charging an regulation violation.

**C.** Any person owning, leasing, erecting, or controlling any sign in violation of the provisions of this section shall be guilty of a misdemeanor. Each day that the violation exists shall constitute a separate offense.